

	<p><b>ACTION TAKEN UNDER DELEGATED POWERS BY OFFICER 14 June 2017</b></p>
<p style="text-align: center;"><b>Title</b></p>	<p>Award of contract for Independent Social Workers Approved List</p>
<p style="text-align: center;"><b>Report of</b></p>	<p>Strategic Director, Children and Young People</p>
<p style="text-align: center;"><b>Wards</b></p>	<p>All</p>
<p style="text-align: center;"><b>Status</b></p>	<p>Public</p>
<p style="text-align: center;"><b>Enclosures</b></p>	<p>None</p>
<p style="text-align: center;"><b>Officer Contact Details</b></p>	<p>Chris Munday, Strategic Director, Children and Young people. <a href="mailto:Chris.munday@barnet.gov.uk">Chris.munday@barnet.gov.uk</a></p>

Summary
<p>The Carers Recruitment and Assessment team seeks approval to award contracts to Independent Social Workers (ISW) on the Barnet Approved List of ISW providers.</p> <p>Providers will be awarded onto the Approved List for the remaining duration of the contract. The Approved List expires 31<sup>st</sup> March 2020. New contracts will commence 01 August 2017</p> <p>The six contracts to be awarded are for the following:</p> <ul style="list-style-type: none"> <li>Lot 1: Fostering Assessments: Initial Visit and Report and Form F Assessment</li> <li>Lot 2: Special Guardianship Order (SGO) and Connected Persons: Initial Visit and Report and SGO Assessment</li> <li>Lot 3: Adoption: Initial Visit and Report, Prospective Adopters Report and Annex A Report</li> <li>Lot 4: Parenting Assessments: Parenting Capacity Assessments Outside of Care Proceedings and Parenting Capacity Assessments within Care Proceedings</li> <li>Lot 5: Training: Co-running skills to foster courses and training, Bespoke Training for Foster Carers, Adopters and SGO Applicants</li> <li>Lot 6: Independent Investigation</li> </ul> <p>The total maximum contract value including extensions is £420,000. The annual costs will not exceed £105,000 across all of the contract lots.</p>

## **1. WHY THIS REPORT IS NEEDED**

- 1.1 To comply with the Council's Contract Procedure Rules, ensure alignment with Council's Corporate Plan 2015-2020 and to achieve value for money, an open procurement exercise was undertaken.
- 1.2 These services are needed as a key part of Family Services for children and families. Following the comprehensive tendering exercise, all submissions were evaluated and ranked according to their scores for quality and price. Providers are scheduled to be awarded their contracts in June 2017 allowing sufficient time to mobilise services to commence on 01 August 2017.

## **2. REASONS FOR DECISIONS**

- 2.1 This is the second opening of the ISW approved list and a full open tendering procedure was carried out in order to ensure that the Council's Contract Procedure Rules were being followed.

## **3. ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

- 3.1 Alternative options were considered but lack of capacity and providers on the Approved List meant that the list had to be re-opened again.
- 3.2 Ceasing these services was considered but rejected as an option. These services form a key part of providing services independent of LBB.

## **4. POST DECISION IMPLEMENTATION**

- 4.1 Following decision to award these contracts, legal contracts will be issued by HB Public Law and the services will be mobilised ready for delivery on 01 August 2017.

## **5. IMPLICATIONS OF DECISION**

### **5.1 Corporate Priorities and Performance**

- 5.1.1 The Council's Corporate Plan 2015-2020 states that the council, working with local, regional and national partners, will strive to ensure that Barnet is a place:
  - of opportunity, where people can further their quality of life
  - where people are helped to help themselves, recognising that prevention is better than cure
  - where responsibility is shared, fairly
  - where services are delivered efficiently to get value for money for the taxpayer
- 5.1.2 The award of the contracts set out in this report contributes to the Corporate Plan priority 'To create better life chances for children and young people across the borough'.
- 5.1.3 The award of the contracts set out in this report contributes to the Corporate Plan priority 'Building resilience in residents and managing demand'.
- 5.1.4 The Children, Education, Libraries and Safeguarding Committee (CELS)

Commissioning Plan 2015-2020 sets out proposals to address challenges, reshape services, and to deliver savings for services within the Committee area over the next five years. These include:

- Alternative ways to deliver services, in partnership with other organisations and residents
- Narrowing the gap and targeting support to those that need it
- Greater personalisation, choice and control over services
- Focus of efficiency, effectiveness and impact

## **5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)**

### **Procurement, Finance & Value for Money**

5.2.1 As outlined above, there are 6 Independent Social Worker contracts to be awarded:

1. Lot 1: Fostering Assessments
2. Lot 2: Special Guardianship Order and Connected Persons
3. Lot 3: Adoption
4. Lot 4: Parenting Assessments
5. Lot 5: Training
6. Lot 6: Independent Investigation

5.2.2 An open procurement process was undertaken and tender submissions were recorded on the e-portal, [www.barnetsourcing.co.uk](http://www.barnetsourcing.co.uk). Providers tendered for one or more of the above lots, which were evaluated and scored during the evaluation stage.

5.2.3 The evaluation process involved five stages

#### **Stage 1 – Submission on time and acceptance of Terms and Conditions**

Bidders were advised that the tender must be submitted through the online e-procurement portal Curtis Fitch by no later than 26 April 2017. Any submissions received after this date would be rejected and not considered further. Bidders were also asked to confirm acceptance of the terms and conditions of the contract according to the Declaration by tenderer. Stage 1 of the evaluation process concentrated on compliance with the conditions of tendering, including ensuring that all the required documents had been correctly completed and delivered. Responses that passed stage 1 were then subject to stage 2

#### **Stage 2 – pass or Fail Evaluation**

The pass or fail evaluation involved the procurement evaluation panel evaluating bidders' responses to pass or fail questions in their questionnaire. Any questionnaire responses that failed stage 2 were not considered further. Questionnaire responses that passed stage 2 were then subject to stage 3.

#### **Stage 3 – Qualification and Selection Stage**

The qualification and selection stage involved the procurement evaluation panel evaluating bidders' responses to the scored questions. Any questionnaire responses that failed stage 3 were not considered further. Bidders failed the qualification and

selection stage if they:

- Scored 0 out of 5 for any of the scored questions
- Achieved less than 10 points (50%) in total out of the average aggregate score

Questionnaire responses that passed stage 3 were then subject to stage 4.

One provider failed at this stage.

#### Stage 4 – Method Statement Questions and Price Evaluation

This stage involved the procurement evaluation panel evaluating the bidder's responses to Method Statement Questions, presentation and Price Evaluation. Tender evaluation was based on a combination of quality and price. For this tender, the ratio was 50% quality and 50% price and the evaluations for each were undertaken separately. Quality was broken down by sub criteria and measured through responses to method statement questions, and presentation. The total score for quality and price was combined to give a total evaluation score.

Bidder failed this stage if they:

- Scored 0 out of 5 for any of the method statement questions
- Achieved less than 50% out of the overall total score for the method statement questions, presentation and interview.

The weightings for quality were:

- Method statements 100%

Any responses that failed stage 4 were not considered further. Any responses that passed stage 4 would be subject to stage 5.

One provider failed at this stage.

#### Stage 5 – Ranking and Award of Contracts

At this stage bidders quality scores were ranked and presented in a matrix:

Lot	Contract description	Bidder	Rank	%
1	<ul style="list-style-type: none"> <li>• Initial Visit and Report</li> <li>• Form F Assessment</li> </ul>	Willis Palmer	1 <sup>st</sup>	67%
		Forward 4 Families	2 <sup>nd</sup>	60%
		R&C	3 <sup>rd</sup>	53%
		Naomi Ruben	4 <sup>th</sup>	53%
2	<ul style="list-style-type: none"> <li>• Initial Visit and Report</li> <li>• SGO Report</li> </ul>	Forward 4 Families	1 <sup>st</sup>	60%
		Naomi Ruben	2 <sup>nd</sup>	53%
3	<ul style="list-style-type: none"> <li>• Initial Visit and Report</li> <li>• Prospective Adopters Report</li> <li>• Annex A Report</li> </ul>	Naomi Ruben	1 <sup>st</sup>	60%
		Training Skills	2 <sup>nd</sup>	60%
		Willis Palmer	3 <sup>rd</sup>	54%
4	<ul style="list-style-type: none"> <li>• Parenting Capacity Assessments Outside of Care Proceedings</li> <li>• Parenting Capacity Assessments within Care Proceedings</li> </ul>	Forward 4 Families	1 <sup>st</sup>	67%
		Naomi Ruben	2 <sup>nd</sup>	53%
5	<ul style="list-style-type: none"> <li>• Co-running Skills to foster courses/training,</li> <li>• Bespoke Training for Foster Carers, Adopters and SGO Applicants</li> </ul>	Forward 4 Families	1 <sup>st</sup>	67%
		R&C	2 <sup>nd</sup>	53%
6	<ul style="list-style-type: none"> <li>• Independent Investigation</li> </ul>	R&C	1 <sup>st</sup>	67%

		Forward 4 Families	2 <sup>nd</sup>	54%
--	--	--------------------	-----------------	-----

5.2.4 The contracts will be awarded on 01 August 2017. Lot 1 will be awarded to Willis Palmer, Forward 4 Families, R&C and Naomi Ruben. Lot 2 will be awarded to Forward 4 Families and Naomi Ruben. Lot 3 will be awarded to Naomi Ruben, Training Skills and Willis Palmer. Lot 4 will be awarded to Forward 4 Families and Naomi Ruben. Lot 5 will be awarded to Forward 4 Families and R&C. Lot 6 will be awarded to R&C and Forward 4 Families.

5.2.5 The total maximum contract value including extensions is £420,000. The annual costs will not exceed £105,000 across all contract lots and will be met from within the existing Family service budget.

5.2.6 The procurement process was competitive and open to ensure value for money.

### **Staffing, IT, Property**

5.2.7 TUPE does not apply to these contracts and there are no staffing implications for the Council.

5.2.8 The IT and property implications for the provider organisations are covered in the specifications, ITT document and tender submissions.

### **5.3 Legal and Constitutional References**

5.3.1 The total value of these social services contracts is above the financial threshold requiring advertisement in OJEU under The Public Contracts Regulations 2015. An open, fair and transparent procurement process has been conducted in accordance with the Council's Contract Procedure Rules.

Under the Council's Constitution, Contract Procedure Rules (Appendix 1 – Table A), procurements over £164,176 in value (above the OJEU threshold) can be authorised either by the relevant Thematic Committee or through the Procurement Forward Plan. If the tender is within budget, it may be accepted by the relevant Council Officer in consultation with the Chairman of the relevant Theme Committee or the Policy and Resources Committee.

Authorisation for this procurement was granted in the Procurement Forward Plan 2016-17, agreed by Policy and Resources Committee in January 2016

5.3.2 Paragraph 12.1 of the Contract Procedure Rules, , requires every contract to be in a form approved by the Monitoring officer (in consultation with HB Public law). HB Public law will be instructed to draft the contracts with the successful providers.

### **5.4 Risk Management**

5.4.1 Early identification, accurate needs assessment and effective interventions are key in supporting and empowering families to ensure that all children have the best possible start in life.

5.4.2 The tender pack set out that each potential provider will be required to keep service user records, and ensure appropriate information sharing, confidentiality; data protection, data collection and analysis are in place. Policies and protocols should be in place to ensure that the system is robust and to encourage adherence to it. The

tender process assessed providers' existing safeguarding and health and safety policies, supervision arrangements, financial viability and processes; these were found to be satisfactory and appropriate in the case of all providers contained within this report. These aspects will be explored further in the mobilisation and service delivery plans.

- 5.4.3 A financial risk assessment was undertaken at tender stage. Risks to the Council from provider failure were perceived as low. Risks that were identified have been mitigated through amending the Terms and Conditions in relation to the Council's liability for payments.
- 5.4.4 If the Council does not proceed with awarding the contracts, it will have a negative impact on service delivery to children and families. These contracts are the most viable long term option and would risk provision of a fragmented service model. To mitigate these risks, it is recommended that the contracts are awarded to the organisations identified in this report.
- 5.4.5 To ensure monies are being spent effectively all new contracts will be performance managed throughout the term of the contract using a robust monitoring system. This system is in place for current contracts.

## 5.5 **Equalities and Diversity**

- 5.5.1 The 2010 Equality Act outlines the provisions of the Public Sector Equalities Duty which requires Public Bodies **to have due regard** to the need to:
- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010
  - advance equality of opportunity between people from different groups
  - foster good relations between people from different groups

The broad purpose of this duty is to integrate considerations of equality into day business and keep them under review in decision making, the design of policies and the delivery of services

An Equalities Impact Assessment was completed as part of the commissioning cycle and the tender process assessed providers' existing equalities and diversity policies and ability to ensure that there is awareness of equalities and diversity consideration in working with children and young people.

## 5.6 **Consultation and Engagement**

- 5.6.1 Consultation and engagement formed a part of the design of the service specifications. Feedback from users of the current services and from stakeholders in these services was also incorporated into the new service specification. Market engagement event was held with potential providers ahead of the publication of the tender.

## 6. **BACKGROUND PAPERS**

Procurement Forward Plan 2016-2017

<https://barnet.moderngov.co.uk/documents/s28059/Appendix%201%20Annual%20Procurement%20Forward%20Plan%202016-17.pdf>

6.1

**7. DECISION TAKER'S STATEMENT**

7.1 *I have the required powers to make the decision documented in this report. I am responsible for the report's content and am satisfied that all relevant advice has been sought in the preparation of this report and that it is compliant with the decision making framework of the organisation which includes Constitution, Scheme of Delegation, Budget and Policy Framework and Legal issues including Equalities obligations.*

**8. OFFICER'S DECISION**

**I authorise the following action**

8.1 The contracts will be awarded on 01 August 2017. Lot 1 will be awarded to Willis Palmer, Forward 4 Families, R&C and Naomi Ruben. Lot 2 will be awarded to Forward 4 Families and Naomi Ruben. Lot 3 will be awarded to Naomi Ruben, Training Skills and Willis Palmer. Lot 4 will be awarded to Forward 4 Families and Naomi Ruben. Lot 5 will be awarded to Forward 4 Families and R&C. Lot 6 will be awarded to R&C and Forward 4 Families.

The total budget for these contracts is £420,000 including extensions. The contract term is 2 years with the option to extend for up to 2 years, subject to satisfactory performance. The contracts will commencing 01 August 2017.

**Signed**                      Strategic Director, Children and Young People

**Date**                         26/07/2017